

## **REMARKS**

Claims 1 – 10 are pending.

The Brief Description of the Drawings has been amended to recite the fragments of AAV-1, AAV-2 and AAV-6 ITRs illustrated in Fig. 2 and Fig. 3B. No new matter is added by this amendment.

No new matter is provided by this amendment.

### **I. Election**

The examiner has issued a restriction between claims 2 and 4-6 and claim 3, subject to the non-allowance of the linking claims, claims 1 and 7-10. Accordingly, should claims 1 and 7-10 be found allowable, the restriction requirement should be withdrawn.

The examiner has indicated that claims 1, 2 and 4 are indicated to be generic and has required election of a single disclosed species selected from a protein selected from cytokines, growth factors, differentiation factors, alpha-1-antitrypsin, and erythropoietin. Applicants have provisionally elected alpha-1-antitrypsin.

### **II. Compliance with Requirements for Patent Applications Containing Nucleotide Sequence Disclosures**

The Brief Description of the Drawings has been amended to recite the fragments of AAV-1, AAV-2 and AAV-6 ITRs illustrated in Fig. 2 and Fig. 3B. No new matter is added by this amendment.

The sequences of AAV-1 are provided in SEQ ID NO:1, the sequences of AAV-2 are provided in SEQ ID NO:18 and the sequences of AAV-6 are provided in SEQ ID

NO:19. Accordingly, only the nucleotide numbers of the fragments appearing in Fig. 2 and Fig. 3B need to be included in the brief description of the drawings.


No new matter is added by this amendment.

Applicants respectfully request reconsideration and withdrawal of this amendment.

The Director of the US Patent and Trademark Office is hereby authorized to charge any fee due to Deposit Account 08-3040.

Respectfully submitted,

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